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FIRST BANK OF DELAWARE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

AMBER KRISTI MARSH and STACIE EVANS,
individually and on behalf of a class of similarly situated
persons,

Plaintiffs,

v.

ZAAZOOM SOLUTIONS, LLC, a Delaware Limited
Liability Company, **ZAZA PAY LLC**, a Delaware
Limited Liability Company dba Discount Web Member
Sites, LLC, Unlimited Local Savings, LLC, Web Discount
Club, Web Credit Rpt. Co., MegaOnlineClub, LLC, and
RaiseMoneyForAnything; **MULTIECOM, LLC**, a
Colorado Limited Liability Company dba Online Discount
Membership, Web Discount Company, and Liberty
Discount Club; **ONLINE RESOURCE CENTER, LLC**,
a Delaware Limited Liability Company dba Web Coupon
Site, USave Coupon, and UClip; **MOE TASSOUDJI**, an
individual, **BILL CUEVAS**, an individual, **FIRST
BANK OF DELAWARE**, a Delaware Corporation,
FIRST NATIONAL BANK OF CENTRAL TEXAS, a
Texas Corporation; **SUNFIRST BANK**, a Utah
Corporation; **JACK HENRY & ASSOCIATES, INC.**, a
Delaware Corporation dba ProfitStars; **AUTOMATED
ELECTRONIC CHECKING, INC.**, a Nevada
Corporation; **DATA PROCESSING SYSTEMS, LLC**,
a Delaware Limited Liability Company and DOES 1-10,
inclusive,

Defendants.

CASE NO. 4:11-cv-05226-YGR

**NOTICE OF NEW HEARING
DATE FOR DEFENDANT
FIRST BANK OF
DELAWARE'S**

**(1) MOTION TO DISMISS
PLAINTIFFS' SECOND
AMENDED COMPLAINT,
OR, IN THE ALTERNATIVE,
FOR A MORE DEFINITIVE
STATEMENT;**

**(2) MOTION TO STRIKE
PORTIONS OF PLAINTIFFS'
SECOND AMENDED
COMPLAINT**

**DATE: February 28, 2012
TIME: 2:00 P.M.
CTRM: TBD
JUDGE: Hon. Yvonne
Gonzalez Rogers**

1 TO THIS HONORABLE COURT AND TO ALL PARTIES AND THEIR ATTORNEYS
2 OF RECORD HEREIN:

3 PLEASE TAKE NOTICE that on February 28, 2012 at 2:00 p.m. in the United States
4 Courthouse, Ronald V. Dellums Federal Building, 1301 Clay Street, Oakland, California in a
5 courtroom to be determined by the Court, the following motions will be heard:

6 (1) Defendant First Bank of Delaware will and hereby does move to dismiss the
7 Second Amended Complaint and each claim for relief asserted therein under Rule 12(b)(6) of the
8 Federal Rules of Civil Procedure, or in the alternative, First Bank will and hereby does move for a
9 more definitive statement pursuant to Rule 12(e) of the Federal Rules of Civil Procedure; and,

10 (2) Defendant First Bank of Delaware will and hereby does move for an order under
11 Rule 12(f) of the Federal Rules of Civil Procedure striking portions of the Second Amended
12 Complaint.

13 The above referenced motions ("Motions") were originally filed on December 9, 2011 and
14 set for hearing on January 26, 2012 before all hearings were vacated by the Court's Reassignment
15 Order (Docket # 71) to the Honorable Yvonne Gonzalez Rogers. The Motions are fully briefed
16 by the parties and Plaintiffs do not object to the re-noticing of the hearings on the Motions for
17 February 28, 2012.

18 Dated: January 24, 2012

Respectfully submitted,

DLA PIPER LLP (US)

21 By: /s/ Paul J. Hall
22 PAUL J. HALL

23 Attorney for Defendant
24 FIRST BANK OF DELAWARE